IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.4420 of 2004.
in
FIRST APPEAL NO(ST).29433 OF 2003.

State of Maharashtra ..Applicant.

Versus

Vithoba J. Mhatre & Ors. ..Respondent

Mr.R.P.Patil, AGP for the appellant

Mr.Ameya Tamhane i/b. Seema Sarnaik for the respondents

CORAM: S.B.MHASE &
S.R.SATHE, JJ.

DATE : 18th July, 2005

P.C.

1. Heard both the learned Advocates.

2. This is an application for condonation of delay. The learned Counsel appearing for the Respondent seriously objected for condonation of delay and submitted that he has no objection to condone the delay if the delay is condoned on payment of cost of Rs.2000/-. The learned Counsel for the State showed willingness to pay cost of Rs.1000/-. In the interest of justice, we find that the delay can be condoned on payment of cost of Rs.1500/-. Therefore, we pass the

following order:

ORDER

. On the basis of the consessions recorded above, the application is granted and delay is condoned, subject to the payment of cost of Rs.1500/- (Rupees One Thousand Five Hundred Only).

. The cost be paid within a period of four weeks. If there is failure on the part of the Appellant to pay the amount of cost within four weeks, the application for condonation of delay shall stand dismissed.

. Civil Application is accordingly disposed of.

(S.R.SATHE, J.) (S.B.MHASE,J.)